

# CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation

Biweekly Report—Period Ending March 11, 2000

## GS Tech v. DOC, GSBICA No. 15247-COM

Appeal from CO's final decision denying claim for an equitable adjustment in the amount of about \$5800, based upon mistake in bid for fixed price janitorial services contract for EASC. (Amy Crotts, Terry H. Lee).

## NOAA WeatherWire

We attended a meeting to discuss the legality of contractor Dyncorp attempting to limit re-sale of NWWR data by its satellite-based subscribers. Although we will draft a letter asserting NWS' position that no such restriction can be placed, our reading of the contract indicates that the document does not strongly support that assertion. NWS is concerned because Dyncorp's restriction runs afoul of the NWS mandate to distribute watches and warnings as widely as possible. (Mark Langstein & Amy Freeman)

## NIST Digital Signature COMMITS

Vendors remaining in the competition under the RFS, after the recent involuntary down-selection, have been invited to make oral presentations to NIST's technical evaluators. We attended the first of these oral presentations providing advice and counsel to the Contracting Officer on various issues that arose during the course of the orals. (Edward Weber)

## GFDL Supercomputer

Benchmarks are due for release in a week and the RFP by the end of the month. GFDL would like to require vendors to run the benchmarks on a system no smaller than 1/4 the size of the system to be proposed. Because some potential offerors might have trouble meeting this requirement, the vendor community will be polled to determine if this poses a difficulty. (Mark Langstein)

## ICANN Contract Inquiry

Lisa Obayashi provided information to assist in NTIA's response to a GAO inquiry into the Department's authority to enter into a sole-source contract with the Internet Corporation for Assigned Names and Numbers.

## Kathpal Technologies, Inc. v. DOC, B-283137-3

Protestor filed an uncertified and undocumented claim for costs and attorney's fees. We have researched and are preparing a draft response for the CO. (Terry H. Lee).

## COMMITS

OAM is proceeding with implementation of an option, *i.e.* to provide all technically acceptable offerors the opportunity to make an oral presentation. Notice to offerors regarding the status of the re-evaluation was posted on the COMMITS website on February 28 and finally mailed on March 3. The source selection plan (SSP) is in preparation. (Terry H. Lee).

## NESDIS

CLDers Mark Langstein and Diane Canzano met with the NESDIS Contracting Officer and program manager to discuss procurement strategy for recompensation of its satellite operations and engineering support services contract.

## Protest of Crystal Clean Building Service, Inc.

We prepared and submitted the draft decision to the NOAA Acquisitions and Grants Director, who has given the go-ahead to prepare the decision in final form for her signature. (Terry H. Lee).

## CLD "Time to Complete"—1.8 Days

### Actions by Contract Law Division during Period from 02/27/200 to 03/11/2000

Bureau	Received	Completed
CENSUS	2	2
ITA	0	1
NIST	7	7
NOAA	6	6
PTO	2	3
Totals	17	19

Contract Law Division—Client Workload  
Period Ending 03/11/2000

